

REMARKS

The foregoing amendment amends claims 1 and 10. Now pending in the application are claims 1-6, 9-11 and 14-15, of which claims 1, 3, 6 and 10 are independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

Patentable Subject Matter

Applicants thank the Examiner for passing claims 3, 6, 9, 14 and 15 to allowance. Claims 2, 5 and 11 are also indicated to recite patentable subject matter and would be allowable if rewritten in independent form. In light of the foregoing claim amendments and the arguments set forth below, Applicants submit that claims 2, 5 and 11 are now in condition for allowance.

Claim Amendments

Applicants amend claims 1 and 10 to clarify the scope of the claimed invention. In particular, claims 1 and 11 are amended to recite a ringlike armature member having an axial length and arranged entirely radially outside of the ringlike core member along the entire axial length of the ringlike armature member. Support for the claim amendments can be found in the figures and corresponding descriptions of the pending application. No new matter is added. Applicants submit that the foregoing claim amendments should be entered and considered.

Claim Rejections - 35 U.S.C. §102

Claim 10 is rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,273,505 ("Miles"). Applicants respectfully traverse this rejection for the following reasons.

Independent claim 10 recites an electromagnetic actuator. The electromagnetic actuator includes a ringlike armature member having an axial length and arranged entirely radially

outside of the ringlike core member along the *entire axial length* of the ringlike armature member.

Applicants respectfully submit that Miles does not disclose a ringlike armature member having an axial length and arranged entirely radially outside of the ringlike core member along the *entire axial length* of the ringlike armature member, as recited in claim 10. Miles discloses in Fig. 1 that a portion of the armature (56) is arranged radially outside of the core (78). In Miles, however, the armature (56) is not arranged entirely radially outside of the ringlike core member (78) along the entire axial length of the armature (56).

In light of the foregoing arguments, Applicants respectfully submit that Miles does not disclose each and every element of claim 10. Applicants therefore request the Examiner to reconsider and withdraw the rejection of claim 10 under 35 U.S.C. §102(b), and pass the claim to allowance.

Claim Rejections - 35 U.S.C. §103

Claims 1 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,025,098 (“Dudick”) in view of U.S. Patent No. 3,273,505 (“Miles”). Applicants respectfully traverse this rejection for the following reasons.

Independent claim 1 recites an electromagnetic brake. The electromagnetic brake includes a ringlike armature member having an axial length and arranged entirely radially outside of the ringlike core member along the *entire axial length* of the ringlike armature member. Claim 4 depends upon claim 1.

Applicants respectfully submit that the combination of Dudick and Miles does not teach or suggest a ringlike armature member having an axial length and arranged entirely radially outside of the ringlike core member along the *entire axial length* of the ringlike armature member, as recited in claim 1. The Examiner notes in the Office Action that Dudick does not teach the ringlike armature member of the claimed invention. Miles is cited by the Examiner to compensate for this deficiency.

Applicants submit that Miles also does not teach or suggest a ringlike armature member having an axial length and arranged entirely radially outside of the ringlike core member along the *entire axial length* of the ringlike armature member, as recited in claim 1. Miles teaches in Fig. 1 that a portion of the armature (56) is arranged radially outside of the core (78). Miles, however, does not teach that the armature (56) is arranged entirely radially outside of the core (78) along the *entire axial length* of the armature (56).

In light of the foregoing arguments, Applicants submit that the combination of Dudick and Miles does not teach or suggest all of the limitations of claim 1. Claim 4, which depends upon claim 1, is not rendered obvious over the cited prior art references. Applicants therefore request the Examiner to reconsider and withdraw the rejection of claims 1 and 4 under 35 U.S.C. § 103(a), and pass the claims to allowance.

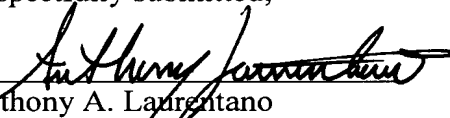
Conclusion

In view of the foregoing claim amendments and arguments, Applicants believe the pending application is in condition for allowance. Applicant believes \$120.00 is due with this statement. However, if an additional fee is due, please charge our Deposit Account No. 12-0080, under Order No. MTW-001 from which the undersigned is authorized to draw.

Dated: September 13, 2005

Respectfully submitted,

By



Anthony A. Laurentano
Registration No.: 38,220
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant